

MAR 13 2015

SENATE RESOLUTION

REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF POLICIES,
PROCEDURES, AND MANAGEMENT OF THE REAL ESTATE COMMISSION.

1 WHEREAS, the Real Estate Commission (Commission) is tasked
2 with the purpose of protecting the general public in its real
3 estate transactions; and
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5 WHEREAS, the Commission oversees 18,557 licensees statewide
6 and 1,591 registered condominium associations; and
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8 WHEREAS, the public has raised many questions about the
9 Commission's operations, including its policies, procedures, and
10 management; and
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12 WHEREAS, the Commission was given authority to adopt
13 administrative rules to implement certain provisions of chapter
14 514B, Hawaii Revised Statutes, the recodified condominium law,
15 in 2005; and
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17 WHEREAS, the Commission initiated the rulemaking process in
18 2009; however, it has not yet completed the formal rulemaking
19 process for chapter 514B, Hawaii Revised Statutes; and
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21 WHEREAS, there has never been a comprehensive audit of the
22 Commission's entire organization, management processes, and
23 personnel administration; and
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25 WHEREAS, a review of the Commission's policies, procedures,
26 and management is long overdue; now, therefore,
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28 BE IT RESOLVED by the Senate of the Twenty-eighth
29 Legislature of the State of Hawaii, Regular Session of 2015,
30 that the Auditor is requested to perform an audit of the
31 policies, procedures, and management of the Real Estate
32 Commission; and
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BE IT FURTHER RESOLVED that the Auditor is requested to include, as part of its audit, an analysis of the Real Estate Commission's practices and procedures regarding:

- (1) Management;
- (2) Investigative powers, including the Commission's award of contracts to other entities to carry out investigations;
- (3) Adoption of administrative rules to implement chapter 514B, Hawaii Revised Statutes;
- (4) The condominium mediation program; and
- (5) Collection of fees relating to condominium mediation and training programs.

BE IT FURTHER RESOLVED that the Auditor is requested to submit a report of any findings and recommendations to this body not later than twenty days prior to the convening of the Regular Session of 2016; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Auditor, the Director of Commerce and Consumer Affairs, and the Chairperson of the Real Estate Commission.

OFFERED BY:


